

AMENDED IN SENATE APRIL 17, 2006

SENATE BILL

No. 1181

Introduced by Senator Maldonado

(Coauthors: Senators Denham, Morrow, and Romero)

(Coauthors: Assembly Members Cogdill, Garcia, Shirley Horton, and Maze)

January 17, 2006

An act to add Section 66904.7 to the Education Code, relating to public postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1181, as amended, Maldonado. Public postsecondary education: Supplemental Report on ~~Academic~~ and Executive Salaries.

Existing law, the Donahoe Higher Education Act, sets forth the missions and functions of the 3 segments comprising the state's public postsecondary education system. These segments are the University of California, administered by the Regents of the University of California, the California State University, administered by the Trustees of the California State University, and the California Community Colleges, administered by the Board of Governors of the California Community Colleges. Among other things, the act establishes the California Postsecondary Education Commission as the statewide postsecondary education planning and coordinating agency and advisor to the Legislature and the Governor.

This bill would require the commission to produce a Supplemental Report on ~~Academic~~ and Executive Salaries on a biennial basis, commencing on or before December 1, 2007, contingent upon the availability of the resources necessary to produce the report. The

report would include data on the total compensation, as defined, of specified executive-level and senior-level administrative positions on both the system and campus levels of the 3 public postsecondary segments.

The bill would require the commission to produce the report in consultation with an advisory committee, the membership of which would be selected by the commission. The bill would require the membership of the advisory committee to include, but not necessarily be limited to, representatives of the University of California, the California State University, the California Community Colleges, the Department of Finance, and the Legislative Analyst's Office.

The bill would authorize the commission to collect from the 3 public postsecondary segments all information that it deems necessary for the completion of the report. The bill would require the commission to report any instance of a lack of cooperation with its efforts to collect information under this bill to the ~~respective chairpersons and vice chairpersons of the budget committees of the houses~~ committee of each house of the Legislature. The bill would express the intent of the Legislature that ~~no funds would be appropriated, either in the annual Budget Act or in other legislation, to a segment that does not appropriate action be taken by the budget committee of each house of the Legislature when the budget subcommittee responsible for higher education determines that a public postsecondary segment has refused to fully comply with the requests for information that the commission makes pursuant to the bill.~~

The bill would appropriate \$250,000 from the General Fund to the commission for expenditure, without regard to fiscal year, for the purposes of producing the report.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 66904.7 is added to the Education
- 2 Code, to read:
- 3 66904.7. (a) (1) The Legislature finds and declares both of
- 4 the following:

1 (A) The provision of support for public institutions of higher
2 education is one of the highest priorities of state government.

3 (B) It is paramount that the resources provided to public
4 institutions of higher education be efficiently used.

5 (2) It is, therefore, the intent of the Legislature to require the
6 commission to provide timely information to public
7 policymakers about the salaries that are paid to administrators of
8 public institutions of higher education.

9 (b) (1) The commission shall produce a Supplemental Report
10 on ~~Academic~~ and Executive Salaries on a biennial basis,
11 contingent upon the provision of the funding necessary to
12 produce the report. This report shall include data on the total
13 compensation of executive-level and senior-level administrative
14 positions, on both the system and campus levels, in the
15 University of California, California State University, and
16 California Community Colleges systems. ~~The~~

17 (2) (A) *The commission shall produce the report pursuant to*
18 *this section in consultation with an advisory committee, the*
19 *membership of which shall be selected by the commission. The*
20 *advisory committee shall include, but not necessarily be limited*
21 *to, a representative of each of the following:*

22 (i) *The University of California.*

23 (ii) *The California State University.*

24 (iii) *The California Community Colleges.*

25 (iv) *The Department of Finance.*

26 (v) *The Legislative Analyst's Office.*

27 (B) *The advisory committee shall meet at least biennially, and*
28 *it shall advise the commission on the methodology used to*
29 *collect, analyze, and disseminate the data that will be contained*
30 *in the report produced under this section.*

31 (3) *The commission shall submit this report to the Legislature*
32 *and the Governor on or before December 1 of each*
33 *odd-numbered calendar year, commencing in 2007. The*
34 *commission shall not be required to submit this report if the*
35 *executive director of the commission certifies to the Director of*
36 *Finance that the commission does not have sufficient resources*
37 *available, during that fiscal year, to produce an adequate report.*

38 ~~(2)~~

39 (c) *As used in this section:*

40 ~~(A)~~

1 (1) “Benefits” include, but are not necessarily limited to,
2 regular and supplemental health, dental, vision, and life
3 insurance; retirement; vacation; and deferred compensation.

4 ~~(B)–~~

5 (2) “Cash remuneration” includes, but is not necessarily
6 limited to, bonuses and other cash compensation received in
7 addition to the base salary.

8 ~~(C)–~~

9 (3) “Perquisites” include, but are not necessarily limited to,
10 automobile allowances, use of cell phones, payment of club dues,
11 provision of educational aid to an employee’s children,
12 employment contracts, entertainment allowances, estate planning
13 assistance, house maintenance services, housing allowances or
14 the use of houses, obtaining a low-interest mortgage loan,
15 provision of a physical examination or other medical care,
16 provision of sabbatical leave, tax planning or preparation
17 services, and provision of tenured professorships.

18 ~~(D)–~~

19 (4) “Total compensation” includes, but is not necessarily
20 limited to, salary, cash remunerations, benefits, and perquisites,
21 and their respective values.

22 ~~(e)–~~

23 (d) The commission is authorized to collect from the
24 University of California, the California State University, and the
25 California Community Colleges all information that it deems
26 necessary for the completion of the report that is required by this
27 section. The commission shall report any instance of a lack of
28 cooperation with its efforts to collect information under this
29 section to the respective chairpersons of the budget committees
30 of the houses of the Legislature. It is the intent of the Legislature
31 that no funds will be appropriated, either in the annual Budget
32 Act or in other legislation, to a public postsecondary segment that
33 does not section to the chairperson and vice chairperson of the
34 budget committee of each house of the Legislature. It is the intent
35 of the Legislature that appropriate action be taken by the budget
36 committee of each house of the Legislature when the budget
37 subcommittee responsible for higher education determines that a
38 public postsecondary segment has refused to fully comply with
39 the requests for information that the commission makes pursuant
40 to this section.

1 ~~(d)~~—

2 (e) The report shall include, but not necessarily be limited to,
3 information about the total compensation for all of the following
4 positions:

5 (1) At the system level of the University of California, the
6 positions of president, vice president, associate vice president,
7 assistant vice president, senior vice president, and chief counsel.
8 At the campus level of the University of California, the positions
9 of chancellor, chief academic officer, provost, vice provost,
10 executive vice chancellor, associate vice chancellor, assistant
11 vice chancellor, and dean.

12 (2) At the system level of the California State University, the
13 positions of chancellor, executive vice chancellor, vice
14 chancellor, associate vice chancellor, assistant vice chancellor,
15 and general counsel. At the campus level of the California State
16 University, the positions of president, vice president, associate
17 vice president, assistant vice president, provost, vice provost, and
18 dean.

19 (3) At the system level of the California Community Colleges,
20 the positions of chancellor, executive vice chancellor, assistant
21 vice chancellor, senior vice chancellor, and general counsel. At
22 the district and campus level of the California Community
23 Colleges, the positions of district superintendent, chancellor, and
24 president.

25 SEC. 2. The sum of two hundred fifty thousand dollars
26 (\$250,000) is hereby appropriated from the General Fund to the
27 California Postsecondary Education Commission for
28 expenditure, without regard to fiscal year, for the purposes of
29 producing the biennial Supplemental Report on ~~Academic and~~
30 Executive Salaries as required by Section 66904.7 of the
31 Education Code.

32 SEC. 3. This act is an urgency statute necessary for the
33 immediate preservation of the public peace, health, or safety
34 within the meaning of Article IV of the Constitution and shall go
35 into immediate effect. The facts constituting the necessity are:

36 In order to allow the California Postsecondary Education
37 Commission to expeditiously collect current data on ~~academic~~
38 ~~and~~ executive salaries in the various segments of public

- 1 postsecondary education in this state, it is necessary for this act
- 2 to take effect immediately.

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